

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Kenneth Gene Lyons III,

Plaintiff,

v.

Civil No. 15-4346 (JNE/HB)  
ORDER

Steve Hammer, Warden; Stillwater  
Correctional Facility Staff; Atlantis  
Treatment Staff; Marina Furhman, Director;  
Mark McShane, Therapist; and  
Tom Morrison, Therapist,

Defendants.

Plaintiff Kenneth Gene Lyons III brought this action alleging violation of civil rights under 42 U.S.C. § 1983 against defendants Steve Hammer, Warden; Stillwater Correctional Facility Staff; Atlantis Treatment Staff; Marina Furhman, Director; Mark McShane, Therapist; and Tom Morrison, Therapist. Dkt. No. 1. In a Report and Recommendation dated February 26, 2016, the Honorable Hildy Bowbeer, United States Magistrate Judge, recommended that the action be dismissed without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b).

No objection to the Report and Recommendation was made. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation [Dkt. No. 4].

Based on the files, records, and proceedings herein, and for the reasons discussed above,  
**IT IS ORDERED THAT:**

1. This action is DISMISSED WITHOUT PREJUDICE.

Dated: April 8, 2016

s/ Joan N. Erickson  
JOAN N. ERICKSEN  
United States District Judge